



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

FEB 3 2004

OFFICE OF  
CIVIL RIGHTS

U.S. Department of Education  
Office of Civil Rights  
Customer Service Team  
Mary E. Switzer Building  
330 C Street, SW  
Washington, D.C. 20202

Re: Referral of Discrimination Complaint Against the University of California at Los Alamos National Laboratory

Dear Customer Service Team:

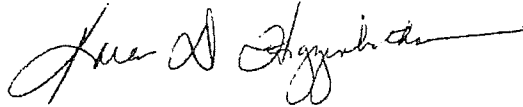
The purpose of this letter is to refer the enclosed discrimination complaint to the U.S. Department of Education. The complaint was filed with the U.S. Commission on Civil Rights by La Cienega Valley Citizens for Environmental Safeguards against the U.S. Department of Energy, the National Nuclear Security Administration, the Los Alamos National Laboratory, and the University of California. The Commission referred the complaint to the U.S. Environmental Protection Agency. The complaint was filed under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, (Title VI) and concerns the Los Alamos National Laboratory.

The Department of Energy, the National Nuclear Security Administration, the Los Alamos National Laboratory are Federal programs that are not covered by Title VI. The University of California, however, which operates the Los Alamos National Laboratory under contract to the U.S. Department of Energy, does receive Federal financial assistance and is, therefore, covered by Title VI.

Inasmuch as the only program named in the complaint that is covered by Title VI is an educational institution, the Agency is hereby referring the complaint to the U.S. Department of Education. This referral is provided for by *An agreement between the United States Environmental Protection Agency and the United States Department of Education to delegate certain civil rights compliance responsibilities for educational institutions* (1989 WL 291739

(F.R.), Nov. 14, 1989) and by the Agency's Title VI regulations at 40 C.F.R. § 7.120. The Agency is available to assist the Department of Education at the Department's request. A copy of the complaint is enclosed.

Sincerely,



Karen D. Higginbotham  
Director

encl. a/s

cc: Elaine Cimino  
Director  
La Cienega Valley Citizens for Environmental Safeguards  
48 Camino Montoya  
Santa Fe, New Mexico 87507

Steve Pressman  
Associate General Counsel  
Civil Rights Law Office (MC 2399A)

Barry Hill  
Director  
Office of Environmental Justice (MC 2201A)  
(w/ copy of complaint)

Sherry Brown-Wilson  
Title VI Contact  
EPA Region 6  
(w/ copy of complaint)

Terri Dickerson  
Assistant Staff Director of  
Civil Rights Evaluation  
U.S. Commission on Civil Rights  
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